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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

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UNITED STATES OF AMERICA,

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Plaintiff,

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v.

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JUAN ANTONIO TREJO PEREZ

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Defendant.

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This matter comes before the court on the following three motions: 1) Motion to Return
15 Property of Defendant (Dkt. 914) filed by defendant Cresenciano Yanez-Bucio; 2) Motion to
16 Schedule Hearing Pertaining to Forfeiture of Seized Property (sic) (Dkt. 915) filed by Jose Benitez;
17 and 3) Motion to Schedule Hearing Pertaining to Forfeiture of Property (Dkt. 916) filed by
18 defendant Cresenciano Yanez-Bucio All of the motions were filed "*pro se*."

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The moving defendants are represented by counsel, Mr. Yanez-Bucio by John R. Crowley
20 and Jose Benitez by Thomas Scott McGarry. Although the court is aware that the defendants have
21 certain differences with their attorneys, the attorneys still represent the defendants on the record.
22 Under these circumstances, *pro se* motions are not appropriate.

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Case No. CR09-5452RJB

ORDER ON MOTIONS

1 Western District of Washington Local General Rule 2 (g)(1) provides as follows:

2 (1) Whenever a party has appeared by an attorney, the party cannot thereafter appear
3 or act in his or her own behalf in the case, or take any step therein, until after the
4 party requests by motion to proceed on his or her own behalf, certifies in the motion
5 that he or she has provided copies of the motion to his or her current counsel and to
6 the opposing party, and is granted an order of substitution by the court terminating
7 the party's attorney as counsel and substituting the party in to proceed pro se;
8 provided, that the court may in its discretion hear a party in open court,
9 notwithstanding the fact that he or she is represented by an attorney.

10 Under these circumstances, these motions should be denied without prejudice.

11 IT IS SO ORDERED

12 The Clerk of the Court is instructed to send uncertified copies of this Order to all counsel of
13 record and to any party appearing *pro se* at said party's last known address.

14 DATED this 27th day of January, 2011.

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Robert J Bryan
United States District Judge